



Docket No. 00SC033DV7

PATENT

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HIGGINS

Serial No. 10/771,820

Group Art Unit: unknown

Filed: February 3, 2004

Examiner: unknown

Title: SHUTTER SWITCH FOR MILLIMETER WAVE BEAMS
AND METHOD FOR SWITCHING

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached Form PTO-1449. This Information Disclosure Statement is being filed within three months of the filing of the above referenced application or before the mailing date of a first Office Action on the merits for the above-referenced application.

In accordance with the PTO procedure, (all patent applications filed after June 30, 2003), we have not enclosed the U.S. patent references cited on PTO form 1449.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration of relevant portions thereof by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art". If the Examiner applies any of the documents as prior art

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

7/20/04
Date

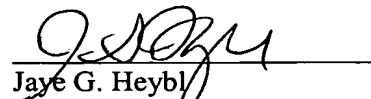
Marianne Middleton

against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Respectfully submitted,

Dated: 7/19/04


Jaye G. Heybl
Registration No. 42,661
Attorney for Applicant

KOPPEL, JACOBS, PATRICK & HEYBL
555 St. Charles Drive, Suite 107
Thousand Oaks, California 91360
(805) 373-0060
M/J4-00SC033DV7IDS-1.97(b).doc

FORM PTO-1449 (Modified)

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(See several sheets if necessary)

Docket No.
00SC033DV7Application Number
10/771,820Applicant
HIGGINSFiling Date
February 3, 2004Group Art Unit
unknown

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number							Date	Name	Class	Subclass	Filing Date If Appropriate
	6	5	0	1	8	6	9	12-2002	ATHALE	385	18	
	5	7	9	3	9	0	6	08-1998	HUANG	385	17	
	5	5	2	6	1	7	2	06-1996	KANACK	359	291	
	5	5	0	4	5	7	5	04-1996	STAFFORD	356	330	
	5	6	6	1	5	5	7	08-1997	JENKINS	359	11	

FOREIGN PATENT DOCUMENTS

	Document Number							Date	Country	Class	Subclass	Translation	
												Yes	No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	1	DORF, <u>THE ELECTRICAL ENGINEERING HANDBOOK</u> , SECOND EDITION, SECTION 37.2, p. 946 (1997)
	2	IEEE PRESS, PAUL F. GOLDSMITH, <u>QUASIOPTICAL SYSTEMS</u> , CHAPTER 1 AND CHAPTER 2 (1999)
	3	M.KIM ET AL., <u>A RECTANGULAR TEM WAVEGUIDE WITH PHOTONIC CRYSTAL WALLS FOR EXCITATION OF QUASIOPTICAL AMPLIFIERS</u> , (1999) MTI-S ARCHIVED ON CD-ROM.
Examiner		Date Considered
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		